



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date: April 26, 2011

Subject: Chestnut Hill Realty Zoning Petition

Recommendation: The Planning Board **does NOT recommend** adoption of the petition.

To the Honorable, the City Council,

After consideration of the petition and testimony given at the public hearing on March 29, 2011, the Planning Board recommends that the Council not adopt the petition to amend the Zoning Ordinance to allow, by special permit, the creation of basement dwelling units in older multi-family residential buildings meeting certain criteria. Members of the Planning Board raised a variety of concerns in regard to the proposed zoning, as summarized below.

- Flooding: The Board received a compelling memorandum from the City Engineer describing the real hazards of flooding and sewer system backups within basements throughout the city. Without significant safeguards in place, many of which would be financially difficult or infeasible, adding more basement apartments in the city would put more tenants at risk of serious property damage and health hazards. In addition, the effects of climate change on a local scale (*e.g.*, increased number and intensity of storms) and a global scale (*e.g.*, sea level rise) may cause the risk of major flooding events to increase over time.
- Parking: Under the proposed zoning, new dwelling units would be allowed without the accessory parking that would ordinarily be required for new units. While it is reasonable to think that the allowed basement units would create less parking demand than other types of units, it is unrealistic to assume that there would be no parking demand at all. Such units would be allowed in areas where there is already a strong demand for on-street parking but a limited supply, therefore making it problematic to consider allowing additional units with no off-street parking.
- Quality of Units: Although it is possible in some circumstances for basement-level units to be built to a quality similar to other units in the city, there are general issues that might become troublesome if a large number of new basement-level units are developed. These include providing adequate light, air, and security, and managing the impacts of mechanical systems and utilities that would be required for the building. Board members were also concerned about establishing a precedent for a “lower class” of housing units.

- Affordability of Units: The buildings affected by the petition are not currently subject to Inclusionary Housing requirements because they predate the ordinance. The new units would only be “affordable” to the extent that there might be a lesser market demand for those units, which would likely result in only a modest reduction in price. Permanently affordable units, as defined in the Zoning Ordinance, would only be provided if ten new units were created in one building (although at the public hearing, the petitioner suggested that the language could be changed to also require one affordable unit in a development of at least five units). Moreover, the proposed one-bedroom and studio rental units would be intended to be occupied by one or two people over a relatively short period of time. Affordable units, as defined in the Zoning Ordinance and managed by the Community Development Department, tend to have longer-term occupancy by larger families. The proposed basement units would not be suitable for these families.
- Planning Rationale: The petition establishes a very limited set of circumstances under which zoning provisions would be waived to allow for new basement units. After hearing testimony from other property owners at the public hearing, Board members felt that there may not be a compelling planning rationale for including buildings that only meet the specified criteria while excluding other existing buildings, such as smaller apartment buildings, buildings in other districts with access to transit service, and buildings with habitable basements that do not include pre-existing units. There may be a practical purpose for including limitations on the provision, in order to better manage the potential impacts. However, if the limitations are viewed as arbitrary, then reason would dictate that the provision should be expanded to include other properties. If the provision were thus expanded, the issues raised above would be exacerbated because more units could potentially be created citywide.

Several Board members did note some positive aspects of the petition. At least some of the buildings affected by this petition have ample space available in their basements that could be suitable locations for dwelling units. Allowing such units may be consistent with the city’s goal of expanding the housing supply while limiting the impacts of new construction. Some Board members saw an advantage to allowing a variety of different unit types – including basement and attic units – in order to serve segments of the Cambridge population that might benefit from those housing options.

In light of the number and significance of issues and concerns raised above, the Board does not make a favorable recommendation to the Council on this petition. Further study would be required to sufficiently address the issues that have been raised, including an analysis of the impacts of such a provision if it were applied to a wider range of buildings and districts.

Respectfully submitted for the Planning Board,



Hugh Russell, Chair